GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police –Appeal Petition of Sri A. Jani Prasad, ARPC-725 of Vijayawada City against the punishment of "PPI for a period of two years with cumulative effect on his future increments and pension", treating the suspension period from 02-04-2014 to 25-06-2014 as "Not on Duty", - Punishment Modified to that of "PPI for one year without effect on future increments & pension and the period under suspension continued as "Eligible Leave" - Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 666 Dated: 08-08-2019
Read the following:-

1) From the Director General of Police, Andhra Pradesh, Mangalagiri, Lr.Rc.No.127/T3/2018, dated: 26-02-2019.
2) Representation of Sri A.Jani Prasad, ARPC-725,Vijayawada City, Dt: Nil.

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ORDER:

In the reference read above, the Director General of Police, Andhra Pradesh, Mangalagiri, has stated that Sri A. Jani Prasad, ARPC-725 of Vijayawada City was dealt with on a Major Charge under Rule-20 of A.P.C.S. (CC&A) Rules 1991, vide Memorandum of Charge C.No:09/PR/2014, date:18-07-2014 for the following delinquency:

Article:-"On 31-03-2014 at about 14:00hrs K.V.Prasad Rao, ARHC 289, N.Yogendra Rao, ARPC 59; and A. Johny Prasad, ARPC 725 of CAR, Vijayawada City, were detailed by Sri M.Anil Kumar, Reserve Sub-Inspector of Police, CAR, Vijayawada City, for Prisoners Escort Duty to produce two Prisoners named Shaik Shanwaz, RP No.6099; and Boppana Siva, RP No.6100, obtaining from Sub Jail, Tirupathi to Vijayawada, before the 2nd & 3rd ACMM Courts Vijayawada, issued BWs 98673,986690,986683 & 986697, RW No. 36126, Arms and Ammunition, Handcuffs and leading chain as per scale. The same was also entered in the General Dairy.

Accordingly, he proceeded to Tirupathi Sub-jail, collected two Prisoners and produced them 01.4.2014 at 03:00 PM. before the Court. After producing them, the escort party returned to Tirupathi along with two prisoners. At about 03:40hrs early hours of morning session of 02.04.2014, they reached outskirts of Nellore. Exactly RPNo.6099, Shaik Shanwaz, sitting by the side of bus window managed to release his hand from handcuff and leading chain, suddenly jumped out from the bus and sped away. Being a member of escort party, the delinquent did not check the hand cuffs of the prisoner and did not have any observation on the prisoner. Hence it clearly shows that due to his gross exhibition of negligence and irresponsibility, the remand prisoner escaped from the custody.

Charge: "Being a member of disciplinary force, the Escort Party is supposed to be very alert and to take precautionary measures in such important remand prisoners escort duty. But he failed to do so and violated the existing escort duty rules and allowed the remand prisoner to escape from the custody."

2. Duly following the procedure laid down in Rule-20 APCS[CC&A] Rules, 1991, the Commissioner of Police, Vijayawada City, imposed the penalty of "PPI for two years with cumulative effect on future increments and pension" treating the suspension period from 02-04-2014 AN to 25-06-2014 FN as "Not on Duty", vide Proceedings dated:11-12-2017.

3. Aggrieved by the above orders, the above Charged PC-725 has submitted an Appeal petition to the Director General of Police, A.P., requesting to Set-a-Side the above punishment. The Director General of Police has stated that the Commissioner of Police, Vijayawada City [DGP cadre], is the Disciplinary Authority. Hence, the channel of Appeal lies with the Government & as per Rule-35 of APCS (CC&A) Rules 1991.

P.T.O.

4. Subsequently, Sri A. Jani Prasad has submitted a representation to the Government, and stated that while he was on duty for producing prisoners from Sub Jail Tirupati to Vijayawada 3rd ACMM Court, one prisoner escaped from handcuffs. Hence, the Commissioner of Police awarded the punishment of "PPI for a period of two years with cumulative effect on his future increments and pension" treating the suspension period from 02.04.2014 to 25.06.2014 as "Not on Duty". After one month, the prisoner was caught traced by the C.O. Hence, the Charged Officer has requested the Government to set-aside the above said punishment on humanitarian grounds, as he is on promotion stage to the rank of HC.

5. Government, after careful examination of the matter and with reference to the records made available, hereby **modify** the punishment of "PPI for a period of two years with cumulative effect on his future increments and pension", treating the suspension period from 02-04-2014 to 25-06-2014 as "Not on Duty", imposed on Sri A.Jani Prasad, ARPC-725 of Vijayawada City **to that of** "PPI for one year without effect on future increments & pension" and the period under suspension as "Eligible Leave" .

6. The Director General of Police, Andhra Pradesh, Mangalagiri is requested to take necessary further action in the matter accordingly. The records received through the letter read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.R.M. KISHORE KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Mangalagiri (WE).
The Individual through the DGP, A.P., Mangalagiri.
Copy to:
The Commissioner of Police, Vijayawada City
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER